

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ARLON WATSON,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-05-712-M
)	
HASKELL HIGGINS, et al.,)	
)	
Respondents.)	


ORDER

On September 30, 2005, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. The Magistrate Judge recommended that respondents' motion to dismiss the petition for failure to exhaust state court remedies [docket no. 10] be denied and that the claims in the petition be denied. The parties were advised of their right to object to the Report and Recommendation by October 20, 2005. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on September 30, 2005;
- (2) DENIES respondents' motion to dismiss [docket no. 10];
- (3) DENIES petitioner's petition for a writ of habeas corpus, and
- (4) ORDERS that judgment in favor of respondent issue forthwith.

IT IS SO ORDERED this 7th day of November, 2005.


VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE